

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

KAITLYNN WELLS,

Defendant.

No. CR20-156-RSM

ORDER OF FORFEITURE

THIS MATTER comes before the Court on the United States' Motion for Entry of an Order of Forfeiture ("Motion") seeking to forfeit, to the United States, Defendant Kaitlynn Wells' interest in the following property:

A sum of money in the amount of \$22,365.77, reflecting the proceeds she obtained as a result of her commission of Bank Fraud, in violation of 18 U.S.C. § 1344. The Defendant has acknowledged this forfeited sum is separate and distinct from the restitution that is ordered in this case. The United States has agreed, however, that it will request the Attorney General apply any amounts it collects toward satisfaction of this forfeited sum to the restitution that is ordered. The United States has also agreed that any amount the Defendant pays toward restitution will be credited against this forfeited sum.

1 The Court, having reviewed the United States' Motion, as well as the other papers
 2 and pleadings filed in this matter, hereby FINDS entry of an Order of Forfeiture is
 3 appropriate because:

- 4 • The proceeds of Bank Fraud, in violation of 18 U.S.C. § 1344, are
 5 forfeitable pursuant to 18 U.S.C. § 982(a)(2);
- 6 • In her plea agreement, the Defendant agreed to forfeit the above-identified
 7 sum of money pursuant to 18 U.S.C. § 982(a)(2), as it reflects the proceeds
 8 she obtained from her commission of the offense (Dkt. No. 237, ¶ 13); and,
- 9 • This sum of money is personal to the Defendant; pursuant to Federal Rule
 10 of Criminal Procedure ("Fed. R. Crim. P.") 32.2(c)(1), no third-party
 11 ancillary process is required before forfeiting it.

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 13 NOW, THEREFORE, THE COURT ORDERS:

14 1. Pursuant to 18 U.S.C. § 982(a)(2) and her plea agreement, the Defendant's
 15 interest in the above-identified sum of money is fully and finally forfeited, in its entirety,
 16 to the United States;

17 2. Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) – (B), this Order will become
 18 final as to the Defendant at the time she is sentenced; it will be made part of the sentence;
 19 and it will be included in the judgment;

20 3. No right, title, or interest in this sum of money exists in any party other
 21 than the United States;

22 4. Pursuant to Fed. R. Crim. P. 32.2(e), in order to satisfy this sum of money,
 23 in whole or in part, the United States may move to amend this Order, at any time, to
 24 include substitute property having a value not to exceed this sum of money; and,

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1 5. The Court will retain jurisdiction in this case for the purpose of enforcing
2 this Order, as necessary.

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4 IT IS SO ORDERED.

5 DATED this 21st day of January, 2022.

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8 RICARDO S. MARTINEZ
9 CHIEF UNITED STATES DISTRICT JUDGE

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17 Presented by:

18
19 s/ Michelle Jensen
20 MICHELLE JENSEN
21 Assistant United States Attorney
22 United States Attorney's Office
23 700 Stewart Street, Suite 5220
24 Seattle, WA 98101
25 (206) 553-2619
26 Michelle.Jensen@usdoj.gov
27
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